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PTO/SB/21 (09-04)

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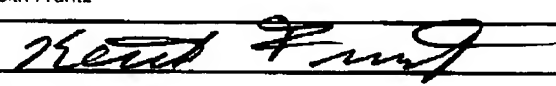
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM	Application Number	10/666,429
	Filing Date	09/19/2003
	First Named Inventor	FUHRMANN, KURT F.
	Art Unit	3634
	Examiner Name	THOMPSON, HUGH B.
(to be used for all correspondence after initial filing)		Attorney Docket Number
Total Number of Pages in This Submission	5	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Enclosure consists of Petition (2 pages), Exhibit A (1 page) and Exhibit B (1 page).		

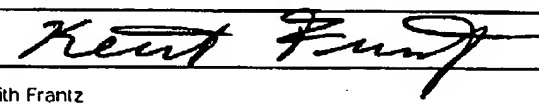
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Keith Frantz		
Signature			
Printed name	Keith Frantz		
Date	02/11/2006	Reg. No.	37828

CERTIFICATE OF TRANSMISSION/MAILING

FX# 571-273-8300

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Keith Frantz	Date	02/11/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
)	
Inventor: FUHRMANN, KURT F.)	Examiner: THOMPSON, HUGH B..
)	
Title: EMERGENCY EVACUATION SYSTEM)	
FOR HIGH-RISE BUILDINGS)	
)	
Serial No. 10/666,429)	Group Art Unit: 3634
)	
Filing Date: 09/19/2003)	

Mail Stop - PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION REQUESTING ACCEPTANCE OF APPARENT BUT NOT ACTUAL LATE
PAYMENT OF ISSUE FEES**

Sir:

Applicant respectfully petition for acceptance of apparent but not actual late payment of the issue fee in the above-identified patent application, and in support thereof states:

1. The issue fee was due yesterday, February 10, 2006.
2. The issue fee together with the fee transmittal form were timely filed by being mailed pursuant to 37 CFR 1.8 yesterday, February 10, 2006.
3. Specifically, a check for the issue fee and the issue fee transmittal form were placed in an envelope addressed to "Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", and deposited with the U.S. Postal Service, with sufficient postage as first class mail, yesterday, February 10, 2006, pursuant to 37 CFR 1.8, at approximately 4:45 PM, well before the last scheduled pickup time of 5:30 PM for the mail box in which it was placed, and it is presumed that the envelope was picked up in accordance with normal mail pickup procedures.
4. However, both the check and the certificate of mailing on the fee transmittal form were inadvertently dated today, February 11, 2006.

5. A true and accurate copy of the check and fee transmittal form, as mailed on February 10, 2006, are attached hereto as Exhibits A and B, respectively (except that the bank account number has been blocked off the check).

6. The undersigned applicant's attorney discovered this inadvertent error in dates on the check and the fee transmittal form when reviewing the file this morning, February 11, 2006, and is promptly filing this petition via fax transmission pursuant to 37 CFR 1.8.

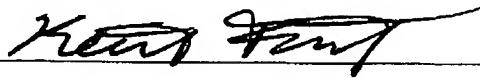
7. Applicant's attorney could not locate in the MPEP or office rules exactly what provision this petition should be filed under, and so is not sure whether a petition fee is required. However, in order to provide prompt notice of this matter to the office pursuant to 37 CFR 1.8(b)(1), this petition is being filed without a petition fee, and applicant's attorney will follow-up with the office on Monday, February 13, 2006 to determine if a fee is required.

8. IF A PETITION FEE IS REQUIRED FOR THIS PETITION, AND THE UNDERSIGNED ATTORNEY IS UNABLE TO TRACK THIS PETITION IN THE OFFICE ON MONDAY MORNING, THEN THE OFFICE IS REQUESTED TO TELEPHONE THE UNDERSIGNED ATTORNEY AT THE TELEPHONE NUMBER PROVIDED BELOW BEFORE A NEGATIVE DISPOSITION IS MADE FOR LACK OF A PETITION FEE.

9. I, Keith Frantz, declare that all statements made herein are true and correct and are based on my own personal knowledge.

Therefore, it is respectfully requested that the issue fee be accepted in this application as timely filed, and that the application proceed pursuant to office procedures.

Respectfully submitted,



Keith Frantz, Reg. No. 37828
401 West State Street, Suite 200
Rockford, Illinois 61101
(815) 987-9820
(815) 987-9869 [fax]

Serial No. 10/666,429
Filing Date: 09/19/2003

SIN 10/666, 429
Petition - EXHIBIT A

1195
70-45/719
BRANCH 7

2-11-06 DATE

KEITH FRANTZ
401 WEST STATE ST. SUITE 200
ROCKFORD, IL 61101

PAY TO THE ORDER OF

Commissioner for Patents
Seven Hundred and ^{XX} 100

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FOR 10/666, 429 FSSUE

00719004561

Keith Frantz

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S/N 10/666,429

Petition - EXHIBIT B
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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571) 273-2885

FEB 11 2006

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

(CURRENT CORRESPONDENCE ADDRESS (Not Use Block 1 for any change of address))

20646 7590 11/10/2005

KEITH FRANTZ
401 WEST STATE STREET
SUITE 200
ROCKFORD, IL 61101

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Keith Frantz (Depositor's name)
Keith Frantz (Signature)
2-11-06 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,429	09/19/2003	Kurt F. Fuhrmann		8666

TITLE OF INVENTION: EMERGENCY EVACUATION SYSTEM FOR HIGH-RISE BUILDINGS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$0	\$700	02/10/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
THOMPSON, HUGH B.	3634	182-082000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47, Rev 01 02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed. #1195☐ Payment by credit card. Form PTO-2038 is attached.☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☒ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Keith FrantzDate 2-11-06Typed or printed name Keith FrantzRegistration No. 37828

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. (X) NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

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